

# EEO Investigations: Anatomy of an Interview

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# Agenda

- \* Introduction to interviewing
- \* Role of the interviewer
- \* Interview preparation and setting
- \* Interview Techniques
- \* Do's and don'ts of interviewing
- \* Question's

# Introduction to interviewing

- \* “I think an interview, properly considered, should be an investigation. You shouldn't know what the interview will yield. Otherwise, why do it at all?”
  - Errol Morris
- \* “You must pursue this investigation of Watergate even if it leads to the president. I'm innocent. You've got to believe I'm innocent. If you don't, take my job.”
  - Richard M. Nixon

# Introduction Continued.

## What is an interview?

\* Merriam-Webster definition:

A meeting at which information is obtained (as by a reporter, television commentator, or pollster) from a person

The purpose of any investigative interview is to obtain information in order to make an informed assessment regarding an event or series of events and the behavior of people who are parties to those events.

# Introduction Cont.

## How are interviews helpful?

- \* Benefits of interviews:
- \* 1) Can be helpful in developing the relevant facts (The who, what, when, where and why's of what happened)
- \* 2) Can be utilized to assess credibility of the complainants, the accused and the witnesses themselves

# Role of an interviewer

- \* The interviewer is the person tasked with obtaining information from the subject interviewees.

## 5 Key aspects of the interviewer role:

- 1) Objectivity/Fairness
- 2) Flexibility
- 3) Patience/Listening Skills
- 4) Thoroughness
- 5) Professionalism

# Interview Preparation and Setting

- \* Preparation – The key to a successful interview
- \* Preparing for an interview:
  - \* 1) Establish who needs to be interviewed and why they need to be interviewed.
  - \* 2) Put the interviewees on notice of the need for the interview and establish a time/date for the interview.
  - \* 3) Establish what information you will be seeking from each interview and prepare questions. Know the person your interviewing!
  - \* 4) Allot sufficient time to avoid interruptions
  - \* 5) Determine whether you need an interpreter

# Interview Preparation and Setting Cont.

- \* Setting - The environment in which the interview will take place.
- \* Picking the right setting for an interview:
  - \* 1) Determine whether the interview is in-person, via video conference or via telephone
  - \* 2) Non-threatening place
  - \* 3) Comfortable environment
  - \* 4) Privacy
  - \* 5) Eliminate distractions

# Interview Techniques

- \* 1) Introduction - Explain purpose of the interview, your role and ground rules
- \* 2) Start with open-ended questions. The 5 W's - Who, What, When, Where and Why's.
- \* 3) Work from broad scope to narrow scope for each question
- \* 4) Let the interviewee answer each question and actively listen in order to ask follow-up questions
- \* 5) Establish a timeline of events

# Interview Techniques cont.

- \* 6) Ask hard or pointed questions as appropriate
- \* 7) Summarize and allow for clarification as appropriate
- \* 8) Establish witnesses or potential important evidence
- \* 9) Prompt interviewees as appropriate
- \* 10) Take effective notes or establish if an audio recording is appropriate or beneficial

# Do's and Don'ts

- \* The Do's:
- \* 1) Remain objective/unbiased
- \* 2) Be persistent
- \* 3) Actively listen
- \* 4) Be thorough
- \* 5) Be professional
- \* 6) Re-state company EEO policy
- \* 7) Take detailed notes and collect/preserve relevant evidence
- \* 8) Show understanding/empathy towards certain interviewee's (cultural backgrounds and victims of sexual harassment).
- \* 9) Schedule interviews promptly
- \* 10) Conduct follow-up interviews as appropriate

# What not to do...

\* [https://www.youtube.com/watch?v=v6z-Y\\_61En8](https://www.youtube.com/watch?v=v6z-Y_61En8)

# Do's and Don'ts cont.

- \* The Don't's:
- \* 1) Do not make assumptions
- \* 2) Do not conduct group interviews
- \* 3) Do not promise confidentiality
- \* 4) Do not interject your opinion into the interview
- \* 5) Do not make agreements or deals
- \* 6) Do not identify other witnesses and share what they have told you
- \* 7) Do not confuse interviewing with interrogating
- \* 8) Do not discuss subject matter that is not relevant to the interview
- \* 9) Do not ask leading questions
- \* 10) Do not use technical jargon or legalese

# Questions?

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